REMARKS

The Office action dated November 14, 2005 has been carefully considered. Claims 1-4, 6-14, and 16-23 are active in this application. Further examination and reconsideration of the rejection of claims 1-4, 6-14, and 16-23 are respectfully requested.

The rejection of claims 1-23 under 35 U.S.C. §102 (b) as being anticipated by Ziv (5867527) is respectfully traversed. However, in order to further define applicants' invention, claims 5, 15 and 21 have been cancelled and independent claims 1, 11 and 17 have been amended in order to further define the invention and include the second-order limitation of the now cancelled claims 1, 11 and 17. Further, claims 10, 16 and 23 have been rewritten in independent form. Additionally claim 22's dependency has been changed to an active claim. It is respectfully submitted that Ziv fails to teach or suggest "a modeling processor operable to generate a second order polynomial mathematical model of a predetermined response function using the maximum signal level and correlation signal levels from predetermined points in time adjacent the selected time." Further, it respectfully submitted that Ziv fails to teach or suggest "generating an nth order mathematical model, n being greater than two, of a predetermined response function using the maximum signal level and correlation signal levels from predetermined points in time adjacent the selected time" as recited in claims 10, 16 and 23. While Ziv discusses "'searching' through a sequence of potential path offsets" (col 5, lines 62-63), there is no disclosure of generating a 2nd or higher order polynomial mathematical model of a predetermined response function using the maximum signal level and correlation signal levels in accordance with the forgoing discussed claims. Claims 1, 10, 11, 16, 17 and 23 are patentably distinguishable from Ziv. All dependent claims depend from one of these claims and merely contain limitations in addition thereto. Consequently, the dependent claims are likewise submitted as being patentably distinguishable over Ziv.

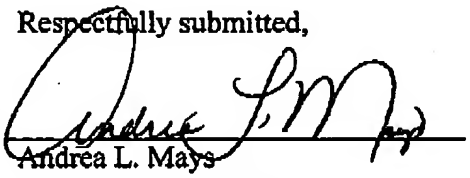
The rejection of claims 1-23 under 35 U.S.C. §102 (b) as anticipated by Tekinay (6,259,894) is respectfully traversed. However, as noted above, claims 1, 11 and 17 have been amended in order to further define the invention. It is submitted that although Tekinay discusses

a matched filter that "generates a correlation value based on a comparison of the shape of the waveform of the incoming signal to the shape of the waveform of the transmitted signal" (col 1, lines 62-65), there is no disclosure as to how Tekinay generates the correlation value. Applicants' invention as recited in claims 1, 11 and 17 uses a "second order polynomial mathematical model of a predetermined response function" to "determine a time associated with a peak correlation signal level." This is neither taught nor suggested by Tekinay. Claims 10, 16 and 23 recite an "nth order polynomial mathematical model of a predetermined response function" to "determine a time associated with a peak correlation signal level." This likewise is neither taught nor suggested by Tekinay. Claims 1, 10, 11, 16, 17 and 23 are patentably distinguishable from Tekinay. All dependent claims depend from either claims 1, 10, 11, 16, 17 or 23 and merely contain limitations in addition thereto. Consequently, these claims are submitted as being patentably distinguishable over Tekinay.

In view of the amendment and remarks, this application is submitted as being in a condition for allowance. Favorable action is respectfully requested. Applicants therefore respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Dated: May 15, 2006

By: 

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